

**APPROVED MINUTES**  
**PROPERTY AND RIGHT-OF-WAY COMMITTEE MEETING**  
**CITY HALL 8<sup>TH</sup> FLOOR**  
**COMMISSION CONFERENCE ROOM**  
**THURSDAY, JULY 19, 2012 – 10:00 A.M.**

**Committee Members Present**

Mehrdad "Mike" Fayyaz, Chair, Public Works Engineering  
Mike Donaldson, Public Works Survey  
Anthony Fajardo, Sustainable Development, Division of Urban Design & Planning  
John Gossman, Sustainable Development Division of Code Enforcement  
Scott Sundemeier, Parks & Recreation, Facility Maintenance Division  
Mark Darmanin, Public Works Utilities  
Carrie Sarver, Assistant City Attorney  
Diana Alarcon, Transportation & Mobility Parking Services (10:35am)

It was noted that a quorum was present at the meeting.

**Staff**

Victor Volpi, Liaison, Parks & Recreation Real Estate  
Dennis Grisgen, Public Works Plans Review  
Silver Lee-Hodge, Parks & Recreation Real Estate

**Guests**

Andre' Capi, DK Architects  
Bob Swayman, Property Owner  
Jeff Iravani, J&I, Inc.  
Alex Yokana, Las Olas Business Center  
Sebastian Vela, Las Olas Business Center  
Jario Vela, Las Olas Business Center  
Jerry McLaughlin, McLaughlin Engineering Co.  
Nectaria Chakas, Lochries & Chakas, PA  
Jay Huebner HSQ Group  
Gus Carbonell, Agent for Owner  
Scott Strawburdgs, Housing Authority  
Damon Ricks, Flynn Engineering  
Courtney Crush, Crush Law, PA  
Kevin Blair, The Grille on Las Olas  
Damon Ricks, Flynn Engineering

**Communications to City Commission**

None.

**Call to Order**

Chair Fayyaz called the meeting to order at 10:08a.m. and stated this is a meeting of the City's Property and Right-of-Way Committee, a City staff committee with the responsibility of advising the City Manager and City Commission on matters relating to City property and public right of way.

**ITEM ONE**

**APPROVAL OF DRAFT JUNE 17, 2012 MINUTES**

**Motion** made by Mr. Darmanin to accept the minutes as amended, pg. 2, Item Two, remove Second Motion, Item Three motion should read "passed unanimously", Item A Walk-On to read "There was a revisited discussion to vacate an additional portion of a utility easement located at the Coral Ride Mall. A motion was passed at the May Property and Right meeting to vacate this easement. This request is slightly modifying the description and boundary's of the easement." Motion **seconded** by Mr. Fajardo. In a voice vote, the motion passed unanimously.

**ITEM TWO**

**VACATION OF RIGHT OF WAY**

Address: 501 SE 24<sup>TH</sup> Street

Premiere Automobile Sales, Inc. would like your positive recommendation to vacate a portion of an alley between S. Federal Highway and SE 4<sup>th</sup> Avenue. The alley is used by the abutting property owners for vehicle access to their properties. The applicant would like to unify their properties to the north & south of the alley.

**Motion** made by Mr. Darmanin to defer, motion **seconded** by Mr. Fajardo. In a voice vote, the motion was passed unanimously.

**ITEM THREE**

**PRIVATIZATION OF STREET & UTILITIES VACATION  
OF SW 12<sup>TH</sup> AVENUE N. OF SW 5<sup>TH</sup> COURT**

Address: 1215 SW 5<sup>th</sup> Court

ZMS Holdings Group, LLC would like your positive recommendation to vacate all of SW 12<sup>th</sup> North of SW 5<sup>th</sup> Court. ZMS Holdings owns all of the property abutting this right-of-way, and would like to develop the property into duplex and single family residential houses. ZMS requests that the street, utilities landscaping, etc. be entirely owned by the development/HOA with a key card type entry.

**Motion** made by Mr. Darmanin to defer, motion **seconded** by Mr. Fajardo. In a voice vote the motion passed unanimously.

**ITEM FOUR**

**VACATION OF ALLEY**

Address: 400 NW 9<sup>th</sup> Avenue

New Mount Olive Baptist Church, Inc. would like your positive recommendation to vacate the alley in Block 17 of N Lauderdale PB 1 PG 48. This alley is between NW 9<sup>th</sup> & 8<sup>th</sup> Avenues & NW 4<sup>th</sup> & 5<sup>th</sup> Streets.

**Motion** made by Mr. Darmanin to approve the vacation subject to DRC approval and City Attorney being able to find a vehicle to insure either the development is completed or the right of way reverts back to the City's ownership, motion **seconded** by Mr. Gossman. In a voice vote the motion passed unanimously.

**ITEM FIVE**

**VACATION OF ALLEY**

Address: 400 NW 9<sup>th</sup> Avenue

The New Mount Olive Baptist Church Inc., would like your positive recommendation to vacate the alley in Block "B" of Ft Laud Land Development Co. Sub of Blk 6 PB 1 PG 57. This alley is between NW 3 & 5 Streets.

**Motion** made by Mr. Darmanin to defer, motion **seconded** by Mr. Fajardo. In a voice vote the motion passed unanimously.

**ITEM SIX**

**REQUEST TO ENCROACH ON A PORTION OF RIVERWALK**

Address: 333 Las Olas Way

The Las Olas Business Center E The Las Olas River House Condos would like your positive recommendation to allow encroachments into Riverwalk. The Las Olas Business Center would like to open Internet offices some of which will be out doors on the Riverwalk with a canopy, table and chairs, landscaping, lighting etc.

**Motion** made by Mr. Darmanin to defer, and motion **seconded** by Mr. Fajardo. In a voice vote the motion passed unanimously.

**ITEM A**

**VACATION OF TWO EXISTING UTILITY EASEMENTS**

Address: 1600 E Sunrise Blvd.

Flynn Engineering for Paseo Del Mar, LP would like your positive recommendation to vacate two utility easements formerly NE 17<sup>th</sup> Avenue, just south of Sunrise & formerly NE 16<sup>th</sup> Terrace, just south of Sunrise.

**Motion** made by Mr. Darmanin to approve the vacation and the relocation of all

utilities subject to the approval of Utilities, and motion **seconded** by Ms. Sarver. In a voice vote the motion passed unanimously.

**ITEM B** **VACATION OF EASEMENT**

Address: 437 SW 4<sup>th</sup> Avenue

The Housing Authority of the City of Fort Lauderdale (Tam English) would like your positive recommendation to vacate a 35' wide and two 6' wide easements shown in your backup on the Tuskee Nova Plat (85-42) for the purpose of building a multi-family affordable housing project on land located at 1436 NW 6<sup>th</sup> Street.

**Motion** made by Ms. Sarver to approve application as presented subject to utility repel, and motion **seconded** by Mr. Darmanin. In a voice vote the motion passed unanimously.

**ITEM C** **VACATION OR LICENSE AGREEMENT**

Address: 810 S State Road 7, Plantation

Robert Swayman would like your positive recommendation to construct 6 parking spaces on a platted 50 foot Drainage Canal. He is requesting a vacation or a license agreement whichever this Committee recommends. Mr. Swayman intends to relocate any trees on the remaining canal right-of-way. This parking is badly needed and he believes the City has more than enough land to use for drainage.

**Motion** made by Mr. Darmanin to defer, and motion **seconded** by Mr. Fajardo. In a voice vote the motion passed unanimously.

**ITEM D** **LICENSE AGREEMENT TO CONSTRUCT PATIO**  
**WITHIN A SIDE-WALK & UTILITY**

Address: SE 5<sup>th</sup> Avenue

This item was deferred at Property and Right of Way June 21, 2012. Flynn Engineering for 401 East Las Olas LLC would like your positive recommendation to construct a patio in a 5 foot sidewalk & utility easement along SE 5<sup>th</sup> Ave.

**Motion** made by Mr. Darmanin to defer, and motion **seconded** by Mr. Fajardo. In a voice vote the motion passed unanimously.

**ADDITIONAL BUSINESS**

New Additional Business

There was a discussion of what the process should be for items to be brought to the Property and Right of Way Committee. It was stated any applicants wishing to come before the Property and Right of Way Committee will first be routed for approval from Planning and Zoning, Transportation Mobility, and finally Utilities prior to going to Real Estate and being placed on the Property and Right of Way Agenda. Diana Alarcon stated the City Commission has come to a consensus to not vacate any right of ways until April 2013. Mr. Darmanin reminded everyone that the Committee was here to make recommendations, in many cases it is beneficial to the Utility and the City to move ahead with certain vacations, and that too broad of brush was being used if all vacations were dismissed unilaterally without discussion. Mrs. Alarcon and Mr. Fajardo will design an application with steps that are required of applicants prior to be placed on the Property and Right of Way Agenda. Meeting was adjourned at 12:23pm. [Minutes prepared by S. Lee-Hodge, Real Estate Division]